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INTERNATIONAL PRELIMINARY EXAMINATION REPORT

Rec'd PCT/PTO 21 OCT 2004

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference NONE		FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/US03/10327	International filing date (day/month/year) 03 April 2003 (03.04.2003)	Priority date (day/month/year) 08 May 2002 (08.05.2002)	
International Patent Classification (IPC) or national classification and IPC IPC(7): G05G 1/16; B60K 41/02 and US Cl.: 74/562.5, 188/2D			
Applicant ZHIDE FENG			
<p>1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of <u>3</u> sheets, including this cover sheet.</p> <p><input type="checkbox"/> This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).</p> <p>These annexes consist of a total of ___ sheets.</p>			
<p>3. This report contains indications relating to the following items:</p> <p>I <input checked="" type="checkbox"/> Basis of the report</p> <p>II <input type="checkbox"/> Priority</p> <p>III <input type="checkbox"/> Non-establishment of report with regard to novelty, inventive step and industrial applicability</p> <p>IV <input type="checkbox"/> Lack of unity of invention</p> <p>V <input checked="" type="checkbox"/> Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</p> <p>VI <input type="checkbox"/> Certain documents cited</p> <p>VII <input type="checkbox"/> Certain defects in the international application</p> <p>VIII <input type="checkbox"/> Certain observations on the international application</p>			
Date of submission of the demand 08 December 2003 (08.12.2003)		Date of completion of this report 23 July 2004 (23.07.2004)	
Name and mailing address of the IPEA/US Mail Stop PCT, Attn: IPEA/ US Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 Facsimile No. (703) 305-3230		Authorized officer <i>P. Volpe</i> Christopher P. Schwartz Telephone No. (703) 308-1113	

Form PCT/IPEA/409 (cover sheet)(July 1998)

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INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/US03/10327

I. Basis of the report

1. With regard to the elements of the international application:*

☒ the international application as originally filed.

☒ the description:

pages 1-19 as originally filed

pages NONE filed with the demand

pages NONE filed with the letter of _____

☒ the claims:

pages 20-27 as originally filed

pages NONE as amended (together with any statement) under Article 19

pages NONE filed with the demand

pages NONE filed with the letter of _____

☒ the drawings:

pages 1-6 as originally filed

pages NONE filed with the demand

pages NONE filed with the letter of _____

☐ the sequence listing part of the description:

pages NONE as originally filed

pages NONE filed with the demand

pages NONE filed with the letter of _____

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language _____ which is:

☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).

☐ the language of publication of the international application (under Rule 48.3(b)).

☐ the language of the translation furnished for the purposes of international preliminary examination (under Rules 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

☐ contained in the international application in printed form.

☐ filed together with the international application in computer readable form.

☐ furnished subsequently to this Authority in written form.

☐ furnished subsequently to this Authority in computer readable form.

☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.

☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. ☐ The amendments have resulted in the cancellation of:

☐ the description, pages NONE

☐ the claims, Nos. NONE

☐ the drawings, sheets/fig NONE

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17).

** Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.
PCT/US03/10327

V. Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. STATEMENT

Novelty (N)	Claims <u>1-21</u>	YES
	Claims <u>NONE</u>	NO
Inventive Step (IS)	Claims <u>1-21</u>	YES
	Claims <u>NONE</u>	NO
Industrial Applicability (IA)	Claims <u>1-21</u>	YES
	Claims <u>NONE</u>	NO

2. CITATIONS AND EXPLANATIONS

Claims 1-21 meets the criteria set out in PCT Article 33(2)-(3), because the prior art does not teach or fairly suggest as auxiliary brake control system for a motorized vehicle having wheel brakes, a brake pedal in an operator's compartment of the vehicle, controlled by a vehicle operator, and a servo system for applying the wheel brakes when the brake pedal is depressed by the operator, the brake pedal being secured to a brake arm pivotally attached to a frame member in the operator's compartment and being positioned above a floor section of the vehicle, the auxiliary brake control system comprising: an auxiliary brake actuator positionable in a passenger compartment of the vehicle, the auxiliary brake actuator including a base member and an auxiliary pedal member pivotally attached to the base member; a cable member including an outer sheath portion and an inner cable portion within the outer sheath portion; a first means connecting a distal end of the outer sheath portion to the base member; a second means locating the opposite, proximal, end of the outer sheath portion at the brake arm; third means connecting a distal end of the inner cable portion to the auxiliary pedal member and a fourth means connecting the opposite, proximal, end of the inner cable portion to the floor section of the vehicle, the cable member being unconstrained between the first and second means; whereby when a passenger steps on the auxiliary pedal member the outer sheath portion of the cable member will move relative to the inner cable portion such that the second means will act on the brake arm to apply the vehicle wheel brakes.

----- NEW CITATIONS -----

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